JAMES D. HODGSON (Successor to George P. Shultz, Resigned), SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

OSWELL M. BRADLEY and CAROL L. BRADLEY, individually, and doing business as BRADLEY BROTHERS CLEANERS AND LAUNDERERS,

Defendants.

CIVIL ACTION FILE
NO. CA 51-69-R

JUDGMENT

This matter having come before the Court, sitting without a jury, for trial and the Court having heard the evidence presented and the argument of counsel and having previously filed its Memorandum Opinion herein, it is hereby

ORDERED, ADJUDGED, and DECREED that defendants Oswell M. Bradley and Carol L. Bradly their agents, servants, employees, and all other persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, be, and they hereby are permanently enjoined and restrained from violating the provisions of section 15(a) (2) and 15(a) (5) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201, et seq.), hereinafter called the Act, in any of the following manners:

1. Defendants shall not contrary to sections 6 and 15(a) (2) of the Act, employ any of the employees in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, unless such employees are compensated at not less than the minimum hourly rate prescribed in section 6 of the Act, i.e., $1.60 or at any other minimum rate which may be made applicable by amendment to the Act.

2. Defendants shall not, contrary to sections 7 and 15(a) (2) of the Act, employ any of their employees in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for a workweek longer than 40 hours, or for hours in excess of any maximum workweek which may hereafter be established as applicable by amendment to the Act, unless such employees receive compensation for such excess hours in a workweek at the rates not less than one and one-half times the regular rates at which they are employed.

3. Defendants shall not, contrary to sections 12(c) and 15(a) (4) of the Act, employ any oppressive child labor in an enterprise engaged in commerce or in the production of goods for commerce within the meaning of the Act.

4. Defendants shall not, contrary to sections 11(c) and 15(a) (5) of the Act, fail to make, keep and preserve adequate and accurate records of their employees and of the wages, hours, and other conditions and practices of employment maintained by them, as prescribed by regulations issued by the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, pursuant to section 11(c) of the Act and found in 29 CFR 516.

5. Defendants are hereby enjoined and restrained from the continued withholding of payment of unpaid

minimum wages and overtime compensation due under the Act to their employees listed below in the amounts set opposite their names:

NAMES	MED. DATE	AMT. WITHHELD
Bessie Atkins	1/ 1/69	$ 61.75
Margaret Brewer	5/ 1/68	15.34
Elizabeth Chetty	3/ 1/68	714.62
Marry Cuthrell	5/ 1/68	12.80
Alice Ford	2/15/68	709.43
Thelma Hardy	2/15/68	722.48
Ruth Lacy	7/ 1/68	21.00
Robert Leverett	11/15/67	118.06
Ilsa Lipscomb	7/ 1/68	161.16
Carl O. Seay	0/15/68	139.50
Lorraine Shelton	1/15/68	363.46
Steven Sims	5/ 1/68	38.55
Eva Thomas	8/15/68	43.65
Louise Thompson	8/15/68	770.45
Clara Wass	8/15/68	306.63
Jessie Walton	7/ 1/68	196.14
Hazel Williams	8/ 1/68	747.85
Lena Yancy	7/ 1/68	171.18
Elizabeth Haoke	3/15/68	18.00
Mary Anderson	11/ 1/68	456.38
	TOTAL	$ 5,788.43

Defendants shall compute interest at 6 per centum per year on the amounts due as listed above from the median date of withholding from each person until payment.

Within 30 days from the entry of this order, defendants shall deliver to plaintiff's attorneys separate certified or cashier's checks made payable to each employee, including interest, after legal payroll

deductions. Plaintiff shall distribute the monies thus collected to the persons named, or to their legal representatives, as their interests may appear, and any sum not paid out by the plaintiff within a reasonable time (either because of inability to locate the person to whom the money is due or his legal representative, or because of such person's refusal to accept payment) shall be covered into the Treasury of the United States as miscellaneous receipts.

It is further ordered that court costs be taxed to defendants.

Dated this 17th day of May, 1972.

/s/ Judge Hoffman
UNITED STATES DISTRICT JUDGE

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
NO. 72-1732

James D. Hodgson (Successor to George P. Shultz, Resigned), Secretary of Labor, United States Department of Labor,

Appellee,

Filed
June 19, 1973

versus

Oswell M. Bradley and Carol L. Bradley, individually and doing business as Bradley Brothers Cleaners and Launderers,

Appellants.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond.

Upon consideration of the petition for rehearing in the above entitled case,

IT IS ORDERED that the petition for rehearing be, and the same is hereby, denied.

FOR THE COURT:

/s/ Clement F. Haynsworth, Jr.
Chief Judge, Fourth Circuit